

Attorney Packet No.: 021755-000600US
Client Ref. No.:

PTO/SB/01A (08-03)

**DECLARATION (37 CFR 1.63) FOR UTILITY OR DESIGN APPLICATION USING AN
APPLICATION DATA SHEET (37 CFR 1.76)**

Title of Invention | **MODEL TRAIN WIRELESS BI-DIRECTIONAL COMMUNICATION PROTOCOL**

As the below named inventor(s), I/we declare that:

This declaration is directed to:

- ☐ The attached application, or
☒ Application No. **10/723,260**, filed on **November 25, 2003**,
☐ as amended on _____ (if applicable);

I/we believe that I/we am/are the original and first inventor(s) of the subject matter which is claimed and for which a patent is sought;

I/we have reviewed and understand the contents of the above-identified application, including the claims, as amended by any amendment specifically referred to above;

I/we acknowledge the duty to disclose to the United States Patent and Trademark Office all information known to me/us to be material to patentability as defined in 37 CFR 1.56, including for continuation-in-part applications, material information which became available between the filing date of the prior application and the national or PCT International filing date of the continuation-in-part application.

All statements made herein of my/our own knowledge are true, all statements made herein on information and belief are believed to be true, and further that these statements were made with the knowledge that willful false statements and the like are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001, and may jeopardize the validity of the application or any patent issuing thereon.

FULL NAME OF INVENTOR(S)

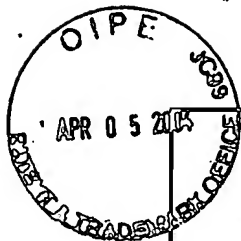
Inventor 1 Louis G. Kovach, II Date: 03/07/04
Signature: [Signature] Citizen of: United States

Inventor 2 Neil Young Date: 03/07/04
Signature: [Signature] Citizen of: Canada

Inventor 3 Howard William Lewis Date: 03 07 2004
Signature: [Signature] Citizen of: United States

Inventor 4 _____ Date: _____
Signature: _____ Citizen of: _____

☐ Additional inventors are being named on additional form(s) attached hereto.

**POWER OF ATTORNEY
and
CORRESPONDENCE ADDRESS
INDICATION FORM**

Application Number	10/723,260
Filing Date	November 25, 2003
First Named Inventor	Kovach II, Louis G.
Title	MODEL TRAIN WIRELESS BI-DIRECTIONAL COMMUNICATION PROTOCOL
Art Unit	
Examiner Name	
Attorney Docket Number	021755-000600US

I hereby appoint:

☒ Practitioners associated with the Customer Number

20350

OR

☐ Practitioner(s) named below:

Name	Registration Number

as my/our attorney(s) or agent(s) to prosecute the application identified above, and to transact all business in the United States Patent and Trademark Office connected therewith.

Please recognize or change the correspondence address for the above-identified application to:

☒ The address associated with the above-mentioned Customer Number:

OR

☐ The address associated with Customer Number:

OR

☐ Firm or
Individual Name

Address

Address

City

State

ZIP

Country

Telephone

Fax

I am the:

☐ Applicant/Inventor.☒ Assignee of record of the entire interest. See 37 CFR 3.71.
Statement under 37 CFR 3.73(b) is enclosed. (Form PTO/SB/96).**SIGNATURE of Applicant or Assignee of Record**

Name	Louis G. Kovach, II, Authorized Member, The Creative Train Company, LLC		
Signature			
Date	03/07/04	Telephone	734.697.4152

NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required, see below*.

☐ *Total of _____ forms are submitted.



Attorney Docket No. 021755-000600US

STATEMENT UNDER 37 CFR 3.73(b)Applicant/Patent Owner: Louis G. Kovach, II, et al.Application No./Patent No.: 10/723,260 Filed/Issue Date: November 25, 2003Entitled: MODEL TRAIN WIRELESS BI-DIRECTIONAL COMMUNICATION PROTOCOLThe Creative Train Company, LLC, a limited liability company

(Name of Assignee)

(Type of Assignee, e.g., corporation, partnership, university, government agency, etc.)

states that it is:

1. ☒ the assignee of the entire right, title, and interest; or
2. ☐ an assignee of less than the entire right, title and interest.
The extent (by, percentage) of its ownership interest is _____ %

in the patent application/patent identified above by virtue of either:

- A. ☒ An assignment from the inventor(s) of the patent application/patent identified above. The assignment was recorded in the United States Patent and Trademark Office at Reel _____, Frame _____, or for which a copy thereof is attached.

OR

- B. ☐ A chain of title from the inventor(s), of the patent application/patent identified above, to the current assignee as shown below:

1. From: _____ To : _____

The document was recorded in the United States Patent and Trademark Office at
Reel _____, Frame _____, or for which a copy thereof is attached.

2. From: _____ To : _____

The document was recorded in the United States Patent and Trademark Office at
Reel _____, Frame _____, or for which a copy thereof is attached.

3. From: _____ To : _____

The document was recorded in the United States Patent and Trademark Office at
Reel _____, Frame _____, or for which a copy thereof is attached.

☐ Additional documents in the chain of title are listed on a supplemental sheet.

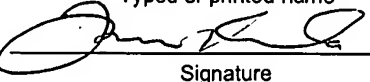
☐ Copies of assignments or other documents in the chain of title are attached.

[NOTE: A separate copy (i.e., the original assignment document or a true copy of the original document) must be submitted to Assignment Division in accordance with 37 CFR Part 3, if the assignment is to be recorded in the records of the USPTO. See MPEP 302.8]

The undersigned (whose title is supplied below) is authorized to act on behalf of the assignee.

03/07/04
Date

734.697.4152
Telephone number

Louis G. Kovach, II
Typed or printed name

Signature

Authorized Member
Title

COPY

Attorney Docket No.: 021755-000600US

ASSIGNMENT OF PATENT APPLICATION

JOINT

WHEREAS, **Louis G. Kovach, II** of 43774 Bemis Road, Belleville, MI 48111; **Neil Young** of 3240 Bear Gulch Road, Redwood City, CA 94062; and **Howard William Lewis** of 10811 Indianolo Road, Whitmore Lake, MI 48189 hereinafter referred to as "Assignors," are the inventors of the invention described and set forth in the below-identified application for United States Letters Patent:

Title of Invention: **MODEL TRAIN WIRELESS BI-DIRECTIONAL
COMMUNICATION PROTOCOL**

Filing Date: **November 25, 2003**

Application No.: **10/723,260; and**

WHEREAS, **The Creative Train Company, LLC**, a California limited liability company, hereinafter referred to as "Assignee," having a business address in c/o Gerber Financial Management LLC, at 8501 Wilshire Boulevard, #220, Beverly Hills, California 90211, is desirous of acquiring an interest in the invention and application and in any U.S. Letters Patent and Registrations which may be granted on the same;

For good and valuable consideration, receipt of which is hereby acknowledged by Assignors, Assignors have assigned, and by these presents do assign to Assignee all right, title and interest in and to the invention and application and to all foreign counterparts (including patent, utility model and industrial designs), and in and to any Letters Patent and Registrations which may hereafter be granted on the same in the United States and all countries throughout the world, and to claim the priority from the application as provided by the Paris Convention. The right, title and interest is to be held and enjoyed by Assignee and Assignee's successors and assigns as fully and exclusively as it would have been held and enjoyed by Assignors had this Assignment not been made, for the full term of any Letters Patent and Registrations which may be granted thereon, or of any division, renewal, continuation in whole or in part, substitution, conversion, reissue, prolongation or extension thereof.

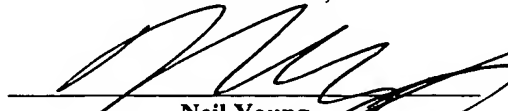
Assignors further agree that they will, without charge to Assignee, but at Assignee's expense, (a) cooperate with Assignee in the prosecution of U.S. Patent applications and foreign counterparts on the invention and any improvements, (b) execute, verify, acknowledge and deliver all such further papers, including patent applications and instruments of transfer, and (c) perform such other acts as Assignee lawfully may request to obtain or maintain Letters Patent and Registrations for the invention and improvements in any and all countries, and to vest title thereto in Assignee, or Assignee's successors and assigns.

IN TESTIMONY WHEREOF, Assignors have signed their names on the dates indicated.

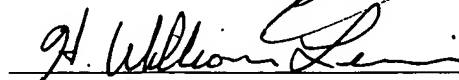
Dated: 03/07/04


Louis G. Kovach, II

Dated: 03/07/04


Neil Young

Dated: 03 07 2004


Howard William Lewis